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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,652	07/13/2000	Yang-Yeon Lee	P56063	4691
8439	7590	05/02/2005	EXAMINER	
ROBERT E. BUSHNELL 1522 K STREET NW SUITE 300 WASHINGTON, DC 20005-1202			PARK, CHAN S	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental
Office Action Summary

Application No.

09/615,652

Applicant(s)

LEE, YANG-YEON

Examiner

CHAN S PARK

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 7/20/04, and has been entered and made of record. Currently, **claims 1, 3-7, 9, and 11-14** are pending.

Response to Arguments

2. Applicant's arguments, see pages 33-36, filed 7/20/04, with respect to the rejections of claims 1-14 under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Heo et al. U.S. Patent No. 5,825,990 (hereinafter Heo) and Ranalli et al. U.S. Patent No. 6,747,761 (hereinafter Ranalli).

Specification

3. The corrected or substitute specification received on 7/20/04. The specification is acceptable.
4. The corrected or substitute abstract received on 7/20/04. The abstract is acceptable.

Drawings

5. The corrected or substitute drawings are received on 7/20/04. The drawings are acceptable.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1 and 9 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claims 1 and 9 fail to correspond in scope with that which applicants regard as the invention can be found in the Specification filed on 7/20/04. In that paper, applicant has stated "first, a user inputs, through operational panel 40, the telephone number of the second facsimile machine to receive the fax data when fax data cannot be received by the receiving facsimile machine due to error occurrence" (page 10, line 14-17), and this statement indicates that the invention is different from what is defined in the claims because claims recite that a telephone number of a second receiving facsimile machine is inputted when an error occurs at said first receiving facsimile machine. Is the applicant claiming that the phone number is not inputted when an error is not detected? The claims seem to indicate that a telephone number of a second receiving facsimile machine is inputted only upon detecting an error.

For examining purpose, examiner construes it as inputting the telephone number of the second facsimile to receive the fax data when the fax data cannot be received due to an error at the first receiving facsimile machine.

7. Claim 7, 9, and 11-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim recites that said transmitting apparatus comprises informing means, means for inputting the telephone number of the second receiving facsimile machine, and means for forming a communication line, when a ring signal is input from said transmitting facsimile apparatus. Is the applicant claiming that the telephone number of the second facsimile machine is inputted at the transmitting apparatus? Is the communication line formed within the transmitting apparatus itself? It is unclear as to if the facsimile data is transmitted to the receiving apparatus.

For examining purpose, examiner construes it as said first receiving facsimile machine comprising the plurality of means.

8. With respect to dependent claims 9 and 11-14, it is uncertain as to what the apparatus is referring to. Examiner suggests the applicant to insert either "first receiving facsimile apparatus" or "transmitting facsimile apparatus" in the preamble of each claim upon explaining or amending claim 7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 6, 7, 9, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heo in view of Ranalli.

9. With respect to claim 1, as cited in the previous Office action dated 4/21/04, Heo teaches a process for transmitting a facsimile message from a transmitting facsimile machine to a first receiving facsimile machine, a subprocess for informing the transmitting facsimile machine of error occurrence at the first receiving facsimile machine, said subprocess comprising the steps of:

when a ring signal is input from said transmitting facsimile machine, forming a communication line, exchanging protocols of said transmitting facsimile machine and of said first receiving facsimile machine, and storing a telephone number of said transmitting facsimile machine among said protocols received from the transmitting facsimile machine (fig. 3 & col. 5, line 61 – col. 6, line 44);

printing fax data received from said transmitting facsimile machine and simultaneously checking whether an error occurs (col. 4, lines 19-38);

when an error occurs, obtaining an error message corresponding to said error from a pre-stored error table and storing said error message (fig. 3, S3e & col. 5, lines 21-52);

when said communication line is cut off from said transmitting facsimile machine due to said error occurrence, detecting said telephone number of said transmitting facsimile machine and forming a communication line therewith (col. 4, lines 39-59); and

when said communication line with said transmitting facsimile machine is formed, transmitting error information occurring at said receiving facsimile machine (col. 4, lines 39-59).

Heo does not teach expressly that a telephone number of a second receiving facsimile machine is sent to the transmitting facsimile machine from the first receiving facsimile machine for the alternate fax data transmission.

Ranalli, the same field of endeavor of the facsimile transmission, teaches the method of sending a telephone number of a second/alternate receiving facsimile machine, to a transmitting facsimile machine when a first receiving facsimile cannot receive the fax data due to an error occurrence (col. 2, lines 30-33 and col. 5, lines 10-21).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the method for sending a telephone number of an alternate receiving facsimile machine to the transmitting facsimile taught by Ranalli with the error notifying facsimile system of Heo.

The motivation/suggestion for doing so would have been to provide an alternate facsimile data transmission method by the original destination facsimile machine.

Therefore, it would have been obvious to combine Heo with Ranalli to obtain the invention as specified in claim 1.

10. With respect to claim 3, Heo teaches the facsimile transmission process wherein, before said communication line with said transmitting facsimile machine is cut off, said error message is stored in an error buffer (col. 4, lines 19-38 & col. 5, lines 1-18).

Ranalli teaches the facsimile transmission process wherein, before said communication line with said transmitting facsimile machine is cut off, said telephone number of said second receiving facsimile machine is stored in a buffer. In order to send back the telephone number of the alternate facsimile machine to the transmitting facsimile, it is inherent to store the telephone number, either permanently or temporarily, in a buffer for the transmission.

11. With respect to claim 6, Heo teaches the facsimile transmission, wherein said error table is a look-up table including at least one error message respectively corresponding to at least one error that may occur in transmission of said facsimile message (col. 4, lines 19-38).

12. With respect to claim 7, Heo discloses a transmitting facsimile apparatus for transmitting a facsimile message to a first receiving facsimile machine, said receiving facsimile apparatus comprising:

a scanner for reading a document;

means for transmitting and receiving information;

means for exchanging protocols with said first receiving facsimile machine; and

a printer;

the improvement comprising:

informing means for furnishing information concerning error occurrence to the transmitting facsimile apparatus, wherein said informing means furnishes the transmitting facsimile apparatus with information concerning nature of an error occurring at the first receiving facsimile machine in the event of error at the first receiving facsimile machine (fig. 3, S3e; col. 5, lines 21-52; and col. 4, lines 39-59).

Heo does not teach expressly that a telephone number of a second receiving facsimile machine is sent to the transmitting facsimile machine from the first receiving facsimile machine for the alternate fax data transmission in the event of error at the first receiving facsimile machine.

Ranalli, the same field of endeavor of the facsimile transmission, teaches the method of sending a telephone number of a second/alternate receiving facsimile machine, to a transmitting facsimile machine when a first receiving facsimile cannot receive the fax data due to an error occurrence (col. 2, lines 30-33 and col. 5, lines 10-21).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the method for sending a telephone number of an alternate receiving facsimile machine to the transmitting facsimile taught by Ranalli with the error notifying facsimile system of Heo.

The motivation/suggestion for doing so would have been to provide an alternate facsimile data transmission method by the original destination facsimile machine.

Therefore, it would have been obvious to combine Heo with Ranalli to obtain the invention as specified in claim 7.

13. With respect to claim 9, the combination of Heo and Ranalli (hereinafter combination) discloses the apparatus of claim 7 comprising:

means for inputting the telephone number of the second receiving facsimile machine when the error occurs at said first receiving facsimile machine while said first receiving facsimile machine is receiving said facsimile message (col. 2, lines 30-33 and col. 5, lines 10-21 of Ranalli);

means for forming a communication line when a ring signal is input from said transmitting facsimile apparatus (fig. 3 & col. 5, line 61 – col. 6, line 44);

means for exchanging protocols of said transmitting facsimile apparatus and of said first receiving facsimile machine when the communication line is formed (fig. 3 & col. 5, line 61 – col. 6, line 44);

means for storing telephone number of said transmitting facsimile apparatus among said protocols received from the transmitting facsimile apparatus when the protocols are exchanged (fig. 3 & col. 5, line 61 – col. 6, line 44);

means for printing said facsimile message received from said transmitting facsimile apparatus and for simultaneously determining whether an error occurs (col. 4, lines 19-38);

means for storing said error message (fig. 3, S3e & col. 5, lines 21-52);

means for obtaining said telephone number of said transmitting facsimile apparatus and forming a communication line therewith when said communication line is cut off from said transmitting facsimile apparatus due to occurrence of the error (col. 4, lines 39-59); and

means for transmitting error information to said transmitting facsimile apparatus when said communication line with said transmitting facsimile apparatus is formed (col. 4, lines 39-59).

14. With respect to claim 11, arguments analogous to those presented for claim 3, are applicable.

15. With respect to claim 14, arguments analogous to those presented for claim 6, are applicable.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination as applied to claim 1 above, and further in view of Hwang U.S. Patent No. 5,822,084.

16. With respect to claim 4, the combination teaches the process of claim 1, but it does not teach expressly the step of converting said error information into bit map data when said telephone number of said transmitting facsimile machine is detected and said communication line is formed.

Hwang, the same field of endeavor of the facsimile transmission, teaches the method of sending back the error message to the transmitter and printing the error message at the transmitter (col. 1, lines 48-54 and col. 4, lines 13-24). Further, it would have been obvious to one of ordinary skill in the art to recognize that the converting of data into bit map is a necessary step in the printing process.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the method for printing the error message at the transmitting machine

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taught by Hwang with the method for transmitting alternate destination information taught by the combination.

The suggestion/motivation for doing so would have been to notify the user of the error and the alternate destination information by printing the information.

Therefore, it would have been obvious to combine the three references to obtain the invention as specified in claim 4.

17. With respect to claim 5, the combination teaches the process of claim 1, but it does not teach expressly that said error information is printed in said facsimile message.

Hwang, the same field of endeavor of the facsimile transmission, teaches the method of sending back the error message to the transmitter and printing the error message at the transmitter (col. 1, lines 48-54 and col. 4, lines 13-24).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the method for printing the error message at the transmitting machine taught by Hwang with the method for transmitting alternate destination information taught by the combination.

The suggestion/motivation for doing so would have been to notify the user of the error and the alternate destination information by printing the information.

Therefore, it would have been obvious to combine the three references to obtain the invention as specified in claim 5.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination as applied to claim 9 above, and further in view of Hwang.

18. With respect to claim 12, arguments analogous to those presented for claim 4, are applicable.

19. With respect to claim 13, arguments analogous to those presented for claim 5, are applicable.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
April 18, 2005

Chan S. Park
Examiner
Art Unit 2622

EDWARD COLES
SUPERVISOR, PATENT EXAMINER
ELECTRONIC BUSINESS CENTER 2630